

UNITED STATES DISTRICT COURT

for the

Northern District of Iowa

United States of America

v.

John Doe a/k/a Aron Callejas

Defendant(s)

Case No.

19-MJ-86

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 15, 2017 in the county of Allamakee in the
Northern District of Iowa, the defendant(s) violated:

Code Section

42 U.S.C. § 408(a)(7)(B)

Offense Description

Misuse of a Social Security Number

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.



Complainant's signature

Michael D. Fischels, Special Agent - HSI

Printed name and title

☒ Sworn to before me and signed in my presence.

☐ Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone or other reliable electronic means.

Date: March 7, 2019



Judge's signature

Northern District of Iowa

Mark A. Roberts, U.S. Magistrate Judge

Printed name and title

STATE OF IOWA]
] ss:
COUNTY OF LINN]

AFFIDAVIT

Your Affiant, Michael Fischels, being duly sworn, does depose and state:

1. I, Michael D. Fischels, am a Special Agent with the United States Department of Homeland Security Investigations Office (hereinafter "HSI") (previously the Department of Justice, Immigration and Naturalization Service). I have been employed with this agency since July 7, 1996. HSI agents are authorized to investigate violations of the Immigration and Nationality Act (INA), as well as offenses found in Title 8, 18, 42 and Title 19 of the United States Code.

2. This affidavit is submitted in support of a request for a criminal complaint charging J. Doe with violations of Title 42, United States Code, Section 408 (Misuse of a Social Security Number). This affidavit is not a complete statement of all of the facts related to this case or defendant.

3. I am aware of the information set forth below through personal investigation, as well as from discussions with other law enforcement officers conducting this investigation.

4. On February 3, 2019, your affiant received information from the Postville, Iowa Police Department regarding a report of identity theft from the El Paso, Texas Police Department. A copy of the El Paso Police report and related documentation was forwarded to your affiant for review. A review of the report and attached documents revealed an individual identified with initials "A.C." reported his/her identity was being used by someone to maintain employment at a company

located in northeast Iowa. The victim provided the El Paso Police Department with a copy of his/her "Wage and Income Transcript" from the Internal Revenue Service, Department of Treasury. This Transcript was dated August 9, 2018, and pertained to the Tax Period "December, 2017". According to this Transcript, someone (hereinafter "J. Doe"), using A.C.'s name and the social security number ending in 7345, lawfully issued to A.C., earned wages at the company in northeast Iowa in 2017.

5. On February 4, 2019, your affiant contacted A.C., who resides in El Paso, Texas, by phone. A.C. confirmed his/her identity and the information contained in the identity theft report made to the El Paso Police Department. A.C. confirmed he/she has never worked or resided in the State of Iowa.

6. On February 4, 2019, your affiant contacted the company located in northeast Iowa. The Human Resources Department confirmed they do have a current employee using "A.C.'s" name and social security number ending in 7345.

7. On February 5, 2019, your affiant received a copy of the Employment Eligibility Form I-9 and accompanying identification, a State of Iowa W-4 form for 2012, and a Federal W-4 form for 2012 for the person using A.C.'s identity in Iowa ("J. Doe").

8. A review of the Form I-9 and accompanying identification revealed J. Doe completed the Form I-9 on February 14, 2013, and the form was certified by the Human Resources Department on the same date. The W-4 forms were also completed by J. Doe on February 14, 2013. J. Doe completed the forms using A.C.'s

name and social security number ending in 7345. J. Doe claimed to be a United States Citizen and presented a Missouri Identification Card bearing license number ending in 1002 and a social security card bearing social security number ending in 7345.

9. A Form I-9 is known as the Employment Eligibility Form. Federal law requires the form to be completed for each employee of a business, to establish the employee's identity and eligibility for lawful employment in the United States.

10. On February 5, 2019, the Social Security Administration confirmed social security number ending in 7345 is a valid number and is assigned to A.C.

11. On February 21, 2019, your affiant received a training document from the northeast Iowa company where J. Doe is employed. A review of this document revealed J. Doe had received training on February 1, 2019, at the company and signed the form to acknowledge having received the training. J. Doe signed A.C.'s name on line #17 of the form.

12. On February 28, 2019, your affiant received records from the state of Missouri. A review of these records revealed J. Doe applied for and was issued a Missouri identification document on January 11, 2013. J. Doe provided A.C.'s social security number ending in 7345 to apply for the state identification document. The Missouri identification document number ending in 1002 matches the Missouri identification number provided by J. Doe to complete the Form I-9 at the company in northeast Iowa.

13. On March 4, 2019, your affiant received Texas driver's license records related to A.C. A review of these records revealed A.C. has a valid Texas driver's license with a registered address in El Paso, Texas. The Texas driver's license photograph of A.C. does not match the photograph on the aforementioned Missouri identification document.

14. On March 4, 2019, your affiant received Iowa Workforce records for A.C. A review of these records revealed a person (J. Doe) has earned wages at the company located in northeast Iowa beginning in the fourth quarter of 2014 through the fourth quarter of 2018. These wages were earned using A.C.'s social security number ending in 7345.

15. On March 5, 2019, your affiant received a personal earning statement document from the company located in northeast Iowa. A review of this document revealed J. Doe received wages at the company for pay period beginning on February 17, 2019 and ending on February 23, 2019. The statement notes the earnings were paid to an employee using A.C.'s name and the social security number ending in 7345.

16. On March 5, 2019, your affiant received an insurance enrollment form from the company located in northeast Iowa. The enrollee, J. Doe, knowingly represented, for insurance purposes, that his name was A.C. and that A.C.'s social security number ending in 7345 was assigned to him. This form was signed by J. Doe on December 15, 2017.

17. As discussed above, the social security account number ending in 7345 was not assigned to J. Doe by the Commissioner of Social Security. When J. Doe made this false representation, he intended to deceive, including for the purposes of maintaining employment and securing insurance.

18. Based on these facts, your affiant has reason to believe the defendant has misused social security number ending in 7345, in violation of Title 42 United States Code, Section 408.

I declare under the penalty of perjury that the foregoing facts and circumstances are true and correct to the best of my knowledge and belief.

Executed this 7th day of March, 2019.



Michael D. Fischels
Special Agent
Homeland Security Investigations

Sworn to before me and subscribed in my presence this 7 day of March, 2019.



MARK A. ROBERTS
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT